

REMARKS

This Claims 1 and 10 are currently amended and claim 5 is cancelled. Claims 1, 3, 9, 10, and 12-14 are currently pending.

35 USC § 103

Claims 1, 3, 9, 10, and 12-14 are currently rejected under 35 USC § 103 as being unpatentable over US Patent No. 3,893,847 (Derrick). The Advisory Action indicates that the claimed molecular weight of the polysaccharides and the proportions (0.5-8 wt.%) are close enough to those taught by Derrick that one skilled in the art would expect the product of the present invention to have the same properties as the product of Derrick. This rejection is traversed.

The product disclosed in Derrick is agglomerates that are indurated by heat. The Derrick agglomerates produce different properties than those of the claimed invention because of the way the agglomerates are produced and the resulting physical properties. The object of the disclosure of Derrick is to prepare agglomerates of higher strength and/or to reduced disintegration. To achieve this, Derrick teaches that an agglomerate formed from a mixture of finely ground metal, a high molecular weight water soluble polymer, and water and the agglomeration is indurated by heat treatment. See Derrick at column 2 lines 57-64. The typical heat treatment can be as high as 1350°C. See Derrick at column 3, lines 5.

In contrast, the present invention is directed to a synthetic fuel. The desired properties of the synthetic fuel of the present invention are different from the agglomerates of Derrick. Instead of a heat treatment of the agglomerate as in Derrick, the synthetic fuel mixture of the present invention is compacted. Claims 1 and 10 are currently amended to recite that the synthetic fuel composition is compacted. Support for this amendment can be found throughout the specification and specifically at paragraphs 20, 51, and 58 and original claim 5.

As conceded by the Advisory Action, Derrick does not teach a composition with the same molecular weight of the polysaccharides and the proportions (0.5-8 wt.%) as those recited in the current claims. It is submitted that one of ordinary skill in the art would not look to the disclosure of Derrick to prepare the synthetic fuel of the present invention as currently claimed because they are prepared by different procedures, seek to address different problems, and result in products with different properties. There is no suggestion in Derrick to modify the disclosed

compositions in such a way as to make a different product. Therefore the invention as currently claimed is not obvious over Derrick.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 18-1160.

Respectfully submitted,



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